

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JESSE NIETO, Jr.,

No. 2:20-cv-00422-TLN-JDP

Plaintiff,

v.

CALIBER HOME LOANS, INC. et al.,

Defendants.

ORDER

On August 23, 2022, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 55.) No objections were filed.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .").

Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

///

///

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Findings and Recommendations filed August 23, 2022 (ECF No. 55) are
3 ADOPTED in full;
- 4 2. This case is REMANDED sua sponte to the Superior Court of the State of California
5 for the County of San Joaquin;
- 6 3. Defendants' Motion for Judgment on the Pleadings (ECF No. 46) is DENIED as moot;
7 and
- 8 4. The Clerk of Court is directed to close this case.

9 **DATED: September 21, 2022**



10
11 Troy L. Nunley
12 United States District Judge

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28